

**ENTERED**

April 15, 2024

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION**

20 CAP FUND I, LLC,

Plaintiff,

V.

BANK OF AMERICA, N.A.,  
SUCCESSOR BY MERGER TO  
RECONTRUST COMPANY, N.A.,

Defendant.

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3:23-cv-120

**ORDER ADOPTING MAGISTRATE JUDGE'S  
MEMORANDUM AND RECOMMENDATION**

On May 1, 2023, all pretrial matters in this case were referred to United States Magistrate Judge Andrew M. Edison under 28 U.S.C. § 636(b)(1). Dkt. 4. Judge Edison filed a memorandum and recommendation on March 28, 2024, recommending the defendant's motion for judgment on the pleadings (Dkt. 22) be granted (Dkt. 23).

No objections have been filed to the memorandum and recommendation. Accordingly, the court reviews it for plain error on the face of the record. 28 U.S.C. § 636(b)(1); FED. R. CIV. P. 72(b)(3).

Based on the pleadings, the record, and the applicable law, the court finds that there is no plain error apparent from the face of the record. Accordingly:

- (1) Judge Edison's memorandum and recommendation (Dkt. 23) is approved and adopted in its entirety as the holding of the court; and
- (2) the defendant's motion for judgment on the pleadings (Dkt. 22) is granted.

SIGNED on Galveston Island this 15th day of April, 2024.

  
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JEFFREY VINCENT BROWN  
UNITED STATES DISTRICT JUDGE